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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NOEL C. MURRAY and DR. SWARNA  
PERERA, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

v.

PROVIDENT TRUST GROUP, LLC, and  
ASCENSUS, LLC,

Defendants.

Case No.: 2:18-cv-01382-MMD-GWF

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND THE DEADLINE  
TO FILE JOINT PROPOSED  
SCHEDULING ORDER**

**(First Request)**

Plaintiffs Noel C. Murray and Dr. Swarna Perera, (“Plaintiffs”), by and through their counsel of record, and Defendants Provident Trust Group, LLC, and Ascensus, LLC, (“Defendants”) by and through their counsel of record, hereby stipulate and agree to extend the deadline by which the parties must submit their joint proposed scheduling order per this Court’s November 27, 2018 order (ECF No. 29) and LR 26-1(b). The parties stipulate and request that the Court allow them to file the joint proposed scheduling order ten (10) days after the Court’s ruling on Defendants’ motion to stay discovery (ECF No. 31). This stipulation is made and entered into based upon the following:

1. Plaintiffs filed their Complaint on July 26, 2018, in which they allege Defendants breached their contractual and fiduciary duties as custodians of Plaintiffs’ Self-Directed Individual Retirement Accounts. (ECF No. 1). Plaintiffs seek certification to represent a putative class of similarly situated individuals. *Id.*

2. Defendants filed a motion to dismiss on October 8, 2018. (ECF No. 21). As of January 11, 2019, that motion will be fully briefed and awaiting a decision from Judge Du.

3. On November 27, 2018, this Court granted in part and denied in part the parties' proposed discovery plan and scheduling order. (ECF No. 29). The Court further directed the parties to submit a proposed scheduling order no later than December 11, 2018, setting forth dates for completion of discovery as required by Local Rule 26-1(b).

4. Per the Court's invitation, Defendants thereafter filed a motion to stay discovery pending Judge Du's ruling on their motion to dismiss. (ECF No. 31). The Court has scheduled a hearing on the motion to stay for January 7, 2019. (ECF No. 32).

5. In light of the foregoing, the parties request that the Court vacate the December 11, 2018 deadline for filing a scheduling order, and direct the parties to file a proposed scheduling order within ten (10) days after the entry of any order denying, in whole or in part, Defendants' motion to stay discovery. This is the first request for an extension of this deadline.

DATED this 11th day of December 2018.

DATED this 11th day of December 2018.

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**IT IS SO ORDERED.**

George Foley Jr.  
UNITED STATES MAGISTRATE JUDGE

DATED: 12-12-2018